IN THE COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE JURISDICTION

COMPANY PETITION NO. 586 OF 2004

M/s.Sunrise Packing Industries ....Petitioners

vs.

Peerless Farbrikkerne (I) Ltd ...Respondents

Ketan R.Parekh for the petitioners.

P.A.Sawant for the respondents.

CORAM: S.C. DHARMADHIKARI, J.

18th January, 2007.

P.C :-

1. Both sides do not dispute that the petitioner had filed a summary suit on the Original Side of this court for recovery of monies, more particularly

claimed in this petition. The respondent company is the defendant to this suit. A decree has already been passed in Summary Suit on 7.8.2006.

2. In my view, nothing survives in this company petition and it is disposed of with liberty reserved to the petitioner to take out such proceedings as are permissible in law for execution of the decree so also for winding up of the respondent company afresh in the case the decree remains unsatisfied. No order as to costs.

sd/-

(S.C.DHARMADHIKARI, J)